

01  
02  
03  
04  
05  
06 UNITED STATES DISTRICT COURT  
07 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

08 UNITED STATES OF AMERICA, ) CASE NO. MJ 08-425  
09 Plaintiff, )  
10 v. ) DETENTION ORDER  
11 GUSTAVO RODRIGUEZ-VIDRE, )  
12 Defendant. )  
13

14 Offense charged:

15 Illegal Reentry after Deportation

16 Date of Detention Hearing: Initial Appearance- September 24, 2008

17 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
18 based upon the factual findings and statement of reasons for detention hereafter set forth, finds  
19 that no condition or combination of conditions which defendant can meet will reasonably assure  
20 the appearance of defendant as required and the safety of other persons and the community.

21 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

22 (1) Defendant is charged by Complaint with reentering the United States illegally,

01 having been previously arrested and deported.

02       (2) Defendant was not interviewed by Pretrial Services. He is believed to be a native  
03 and citizen of Mexico. There is no additional information available regarding his personal history,  
04 residence, family ties, ties to this District, income, financial assets or liabilities, physical/mental  
05 health or controlled substance use, if any.

06       (3) Defendant's criminal history includes convictions for VUCSA, concealed weapons  
07 violations, drug charges, assault, and failures to appear for hearings and to pay fines.

08       (4) BICE has placed an immigration detainer on defendant. Based on this, he does not  
09 contest detention.

10       (5) Defendant poses a risk of nonappearance based on his status as a native and citizen  
11 of Mexico, unknown background information, a history of failing to appear, and the immigration  
12 detainer. He poses a risk of danger due to his criminal history.

13       (6) There does not appear to be any condition or combination of conditions that will  
14 reasonably assure the defendant's appearance at future Court hearings while addressing the danger  
15 to other persons or the community.

16 It is therefore ORDERED:

17       (1) Defendant shall be detained pending trial and committed to the custody of the  
18 Attorney General for confinement in a correction facility separate, to the extent  
19 practicable, from persons awaiting or serving sentences or being held in custody  
20 pending appeal;

21       (2) Defendant shall be afforded reasonable opportunity for private consultation with  
22 counsel;

01 (3) On order of a court of the United States or on request of an attorney for the  
02 Government, the person in charge of the corrections facility in which defendant is  
03 confined shall deliver the defendant to a United States Marshal for the purpose of  
04 an appearance in connection with a court proceeding; and

05 (4) The clerk shall direct copies of this Order to counsel for the United States, to  
06 counsel for the defendant, to the United States Marshal, and to the United States  
07 Pretrial Services Officer.

08 DATED this 24th day of September, 2008.

09 

10 Mary Alice Theiler  
11 United States Magistrate Judge  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22